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October 14, 2016

VIA ECF

Hon. Ramon E. Reyes
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Sidbury v. City of New York, 15 CV 4761 (RRM)(RER)

Your Honor:

I represent the plaintiff in the above-referenced action. I write to request an extension of discovery due to circumstances beyond the parties' control. Defendants agree to an extension of discovery with regard to depositions in this matter. Defendants do not consent to an extension of paper discovery.

The parties were set to depose the plaintiff on October 17th at Rikers Island. The parties had also blocked off times on the 19th, 20th and 21st to depose some of the defendants. Upon information and belief, defense counsel learned that as of last week plaintiff was on Rikers Island. However, when plaintiff's counsel tried to have a video conference with him this past Tuesday he was informed that plaintiff had been transferred to Mid-Hudson Hospital.

Upon further investigation by defense counsel, she learned that at plaintiff's last court appearance in Queens, he had been committed pursuant to CPL 730.50 concerning plaintiff's fitness to stand trial. At this time, plaintiff's call to the doctor who worked in Legal Affairs in Mid-Hudson has gone unreturned so we cannot ascertain how long plaintiff will be in the hospital or when a determination will be made as to his fitness to stand trial. Accordingly, the parties wish to continue with document discovery as they have already conferred about that. As to the depositions, the parties seek an extension of discovery *sine die* and

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propose submitting a status report to the Court in 60 days time with the hope being that they will have a clearer understanding of plaintiff's status at that time.

We thank the Court for its consideration of this request.

Sincerely,


Afsan Saleem

cc: Maria Ferndanda DeCastro, Esq.